



Appeals and State Hearings Newsletter

website: www.ladpss.org

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AR WHO?

You may have heard references to an "AR" but exactly who is this person? An AR is an Authorized Representative. The claimant who requests a hearing may designate someone to represent him/her in the hearing process. This may be a legal representative, a relative or a friend. The County must have the claimant's written authorization prior to discussing his/her case with an AR.

"FUTURE COUNTY WORKERS"

ASH had the pleasure of hosting 11 children who participated in the "Take Your Sons & Daughters to Work" event of 4/22/03. The day began with a full orientation session focusing on the operations of the ASH Section. The older children had the opportunity of visiting the State building where hearings are held and observe two hearings. In the afternoon, the "new staff" were put to the test and participated in two "mock" hearings with a judge, swearing oath, witnesses, etc. The hearings involved two separate issues: "Reduction of the Weekly Allowance" and a "New Bedtime Curfew". The children took the whole hearing very seriously, presented well thought-out arguments and learned much from the experience. It is never too early to recruit good workers for our Department!!!



Expedited Hearings




An expedited hearing is a hearing that must be adjudicated (decided) promptly to assure that participants of public assistance programs do not suffer irreparable harm. Some kinds of issues that expedited hearings will address are: immediate need, homeless assistance, or any other issue of urgency the Ca. Department of Social Services-State Hearings Division thinks necessary. These hearings **MUST** be conducted within **FIVE** working days of the day the hearing request is received. The Appeals Section may ask for your "expedited" help when preparing the County's case for an expedited hearing.


IN THE STATE HEARING: The County Rep's Role



After the claimant, his representative, and the county rep and witnesses have been sworn in by the Administrative Law Judge (ALJ), the hearing begins. The County speaks first to justify the action disputed by the claimant. The county rep explains to the ALJ - and the claimant - what prompted the action, why it is correct, all benefit computations connected to the action, and finally the state regulations and county procedures that require the action be taken. The county's explanation becomes part of the hearing record. The county rep must be able to prove by a preponderance of the evidence that the county's action was correct, cross examine witnesses, elicit testimony, counter any arguments put forth by the claimant and his representatives, and answer the tough questions asked by the ALJ. The county rep must be able to think fast - and her role is crucial to the outcome of the hearing!



 Case Correction Memos (PA 411) sent by ASH to district offices now identify potential Food Stamp errors. If the issue involves Food Stamps, a notation on the upper right hand corner of the PA 411 alerts districts that the case in question may have a potential Food Stamp error!

 In April 2003, there were 279 PA 411's with FS alert notations. Remember that a corrected case means one less error case!!!

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